

Notice of Allowability

Application No.

09/512,963

Applicant(s)

JENSEN ET AL

Examiner

Lamont M. Spooner

Art Unit

2654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 10/20/05.
2. ☒ The allowed claim(s) is/are 1-12, 15, 16 and 20-28.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ariel Rogson on 2/02/06 and 2/03/06.

In claim 1, line 9, replace "each concept" with - -each other concept- -.

In claim 10, line 3, replace "each concept" with - -each other concept- -.

In claim 11, line 7, replace "each concept" with - -each other concept- -.

In claim 12, line 7, delete "and".

In claim 12, line 8, replace "wherein the" with - -wherein the at least one- -.

In claim 12, line 10, replace "ending with the" with - -ending with the other- -.

In claim 15, line 4, delete "according to claim 12".

In claim 15, line 5, replace "the plurality" with - -a plurality- -.

In claim 15, line 7, replace "each" with - -each other- -.

In claim 16, line 4, delete "according to claim 12".

In claim 16, line 5, replace "the plurality" with - -a plurality- -.

In claim 16, line 7, replace "each" with - -each other- -.

In claim 20, line 6, replace "element to one of the" with - -element to each one the other- -.

In claim 12, replace "ancestor of the other of the pair of concepts." with

- -ancestor of the other of the pair of concepts;

a plurality of distances between pairs of concepts;

at least one chain identified as a chain in a basis for the directed set; and

measurements of how concretely each concept is represented in each

chain in the basis.- -

Cancel claims 13 and 14.

Allowable Subject Matter

2. The following is an examiner's statement of reasons for allowance:

The instant application is deemed to be directed to a nonobvious improvement over Conklin. The improvement comprises wherein only one concept is a maximal element, and chains from the maximal element to each other concept, and one of the pair of concepts in each chain is a lineal ancestor of the other of the pair of concepts, and measurements of how concretely each concept is represented in each chain in the basis (claims 1, 11, 12, 15 and 16), wherein only one concept is a maximal element, and chains from the maximal element to each one of the other first concepts, where for each pair of first concepts in each basis chain, one of the pair of first concepts is a lineal ancestor of the other of the pair of first concepts (claim 20).

3. Claims 2-11, 15, 16 and 21-28 are allowed, as their independent claims are deemed allowable.

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4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lamont M. Spooner whose telephone number is 571/272-7613. The examiner can normally be reached on 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on 571/272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

lms
02/09/06


RICHEMOND DORVIL
SUPERVISORY PATENT EXAMINER